

the complaint. Rhino Metals subsequently filed a motion to reconsider, which the district court denied.

Rhino Metals argues on appeal that Craft-Hunting's motion to strike the amended complaint did not comply with the requirements of Idaho Rule of Civil Procedure 4(i), and that by filing their motion to strike, Craft-Hunting consented to the district court's jurisdiction

Craft-Hunting reject Rhino Metals's argument, and argue that their actions do not fall within the scope of Rule 4(i).

BOISE, MONDAY, SEPTEMBER 15, 2008 AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

PATRICK A. BARTOSZ,

Plaintiff-Respondent,

v.

JULIE JONES, fka JULIE GOODMAN,

Defendant-Appellant.

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Docket No. 35091

Appeal from the District Court of the Third Judicial District of the State of Idaho,
Canyon County. Hon. Bradley S. Ford, District Judge.

Bauer & French, Boise, for appellant.

Tucker Law Office, Nampa, for respondent.

Patrick Bartosz sought a modification of a child custody order after learning that his daughter's mother and primary custodian planned to move with the child to Hawaii. In his petition, Patrick requested an award of primary physical custody. The mother, Julie Jones, filed a counterpetition requesting that the magistrate modify the custody award to permit her to move to Hawaii with her daughter. Julie sought permission to move to Hawaii because she had recently married an officer in the United States Army who had been transferred there. The magistrate denied Julie's request to move with the child and concluded that Patrick would be awarded custody if Julie moved to Hawaii. Julie sought and obtained permission to appeal directly to the Idaho Supreme Court. On appeal, Julie argues that the magistrate abused his discretion in denying her request to relocate with her daughter and that the custody order violates her right to travel.